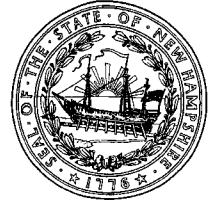




The State of New Hampshire  
**Department of Environmental Services**



Michael P. Nolin  
Commissioner

April 25, 2005

**LETTER OF DEFICIENCY #WSEB 05-040**  
Certified Mail #7099 3400 0003 0690 9601

Timothy Peterson  
Peterborough Oil Co  
PO Box 787  
Leominster, MA 04153

Subject: Kingston - Public Water System: Mr. Mikes Mini Mart 13 (EPA #1278140)

Dear Mr. Peterson:

The records of the NH Department of Environmental Services (DES) show that Mr. Mikes Mini Mart 13 is classified as a public water system (PWS), as defined by RSA 485:1-a. A PWS is defined as any water system supplying 15 or more services, or 25 or more people for 60 or more days per year. As such, the water system owner is required to submit samples according to the system's established Master Sampling Schedule to the State laboratory or a State-certified laboratory in compliance with NH Administrative Rules Env-Ws 326.

DES records show that Mikes Mini Mart 13 has **exceeded the maximum contaminant level (MCL) for Nitrate** of 10.0 mg/L, as defined in Env-Ws 316.01. The Q-2 2005 sample result (23 mg/L), averaged with the confirmation sample result (20 mg/L), calculates to 22 mg/L. Therefore, a violation has occurred.

DES believes the MCL violation can be corrected and future violations prevented by taking the following actions:

1. **Immediately** cease use of the system's water for human consumption until the Nitrate violation is resolved. Alternate (*i.e.* bottled) water **must** be provided to your consumers. If bottled water is used, the source must be an approved source, monitored in accordance with Env-Ws 389; and
2. **Immediately** provide public notice of the violation following the guidelines on the enclosed public notice handout. Provide proof of public notice to this office within 10 days of issuing the public notice. Continue providing public notice for as long as the violation occurs; and

3. **By May 23, 2005**, retain the services of a qualified consultant to address the water quality violation and notify DES, in writing, of the name of the consultant hired. DES was informed that treatment for Nitrate had been installed in 2004. The consultant should review the existing treatment system prior to making recommendations for correcting the MCL violation; and
4. **By June 20, 2005**, submit to DES the consultant's report, which shall contain the consultant's evaluation of the existing treatment method and a determination as to whether maintenance or replacement of the existing treatment system is proposed. If a new treatment system is proposed, cost estimates, justification, an implementation schedule and final correction date to resolve the MCL violation should be included. A maintenance schedule must be included in either case; and
5. By the DES-approved correction date, take the corrective action as approved by DES. Notify DES in writing upon completion of the action(s) taken; and
6. Continue to sample in accordance with your Master Sampling Schedule (copy enclosed), which includes quarterly sampling for Nitrate.

In the event compliance is not achieved within this period, DES may initiate formal action against you, including issuing an order requiring the deficiencies to be corrected, initiating an administrative fine proceeding, and/or referring the matter to the NH Department of Justice for imposition of appropriate penalties.

**All information as requested above should be addressed as follows  
or faxed to (603) 271-5171:**

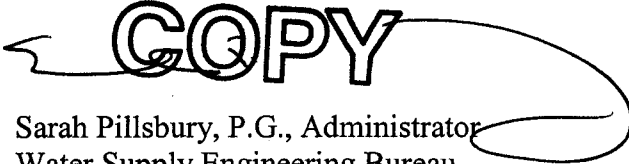
Allyson Gourley  
Department of Environmental Services  
Water Supply Engineering Bureau  
29 Hazen Drive, PO Box 95  
Concord, NH 03302-0095

In addition to your operator, assistance may be available to you through a variety of sources. DES staff member Bernie Lucey, P.E., may be able to answer questions concerning treatment for the aforementioned contaminant(s). He may be reached at (603) 271-2952 or via email at [blucey@des.state.nh.us](mailto:blucey@des.state.nh.us). Also, financial, managerial and technical assistance is available through either of two government funded technical assistance providers. These are NH Rural Water Association (1-800-556-3792) and RCAP Solutions, Inc. (1-800-488-1969). Health related questions may be directed to Dave Gordon of the DES Bureau of Environmental and

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Mr. Mikes Mini Mart 13  
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Occupational Health whose number is 271-4608. If you have any questions regarding this letter, please contact Allyson Gourley, at (603) 271-0655 or by email at [agourley@des.state.nh.us](mailto:agourley@des.state.nh.us).

Sincerely,

A large, stylized handwritten signature in black ink, appearing to read 'COPY' with a large loop extending from the end.

Sarah Pillsbury, P.G., Administrator  
Water Supply Engineering Bureau

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Encls: Master Sampling Schedule  
Public Notice Form  
Report submittal information sheet

cc: Gretchen R. Hamel, DES Legal Unit Administrator (w/out encl.) ✓  
Bernie Lucey, P.E., DES (via email w/out encl.)  
Laurence Middlemiss, Kingston Health Officer (w/out encl.)  
Shannon Morin, Sampling Agent  
EPA, Region 1 (w/out encl.)  
Dave Gordon, DES BEOH (via email w/out encl.)  
John Lukin, NHRWA (via email w/out encl.)  
Robert Morancy, RCAP Solutions, Inc. (via email w/out encl.)  
File